



RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR# 11929

CASE INFORMATION: TC-10-19 WILLOW RUN SOUTH NCOD

COMPREHENSIVE PLAN GUIDANCE

Applicable Policy Statements	<p>Policy LU 8.3 Conserving, Enhancing, and Revitalizing Neighborhoods</p> <p>Recognize the importance of balancing the need to increase the housing supply and expand neighborhood commerce with the parallel need to protect neighborhood character, preserve historic resources, and restore the environment.</p> <p>Policy LU 8.5 Conservation of Single-Family Neighborhoods</p> <p>Protect and conserve the City's single-family neighborhoods and ensure that their zoning reflects their established low density character. Carefully manage the development of vacant land and the alteration of existing structures in and adjacent to single-family neighborhoods to protect low density character, preserve open space, and maintain neighborhood scale.</p> <p>Policy LU 8.12 Infill Compatibility</p> <p>Vacant lots and infill sites within existing neighborhoods should be developed consistently with the design elements of adjacent structures, including height, setbacks, and massing through the use of zoning tools including Neighborhood Conservation Overlay Districts.</p> <p>Policy HP 2.5 Conserving Older Neighborhoods</p> <p>Develop plans and programs to conserve older neighborhoods that have a unique scale and identity, but are not yet protected by an overlay district.</p>
Action Items	Action HP 2.7 Applying Zoning Regulations and Planning Tools

Use Historic Overlay Districts, Neighborhood Conservation Overlay Districts, and other zoning regulations and planning tools in response to neighborhood requests for protection and conservation.

SUMMARY OF TEXT CHANGE

Amends Part 10 of the Raleigh Unified Development Ordinance, in Neighborhood Conservation District to add neighborhood built environmental characteristics and regulations for the Willow Run South neighborhood that set a minimum lot size of 32,670 square feet (.75 acre).

SUMMARY OF IMPACTS

Adoption of TC-4-18:

1. The adoption of the text change would ensure the preservation of the general quality and appearance of the Willow Run South neighborhood.
2. Adoption of the built environmental characteristics and regulations would reduce conflict between new construction and existing development and encourage compatible infill development.
3. The new development regulations could negatively impact the potential economic benefit that property owners could realize from subdividing existing lots.

No Action:

1. The existing Residential-4 base zoning district regulations would remain in place.
2. Subdivision of lots and redevelopment in accordance with the existing zoning could continue to occur, resulting in a different lot character for the neighborhood.

PUBLIC MEETINGS

Submitted	Committee	Planning Commission
07-16-19		8-13-19

PLANNING COMMISSION RECOMMENDATION

Reasonableness and Public Interest

The proposal is consistent with Comprehensive Plan Policies LU 8.3 Conserving, Enhancing, and Revitalizing Neighborhoods; LU 8.5 Conservation of Single-Family Neighborhoods; LU 8.12 Infill Compatibility; HP 2.5 Conserving

	Older Neighborhoods and Action HP 2.7 Applying Zoning Regulations and Planning Tools.
Recommendation	Approval
Motion and Vote	Motion: Lyle Second: Jeffreys Approval: Geary, Jeffreys, Lyle, Novak Opposed: McIntosh and Winters

ATTACHMENTS

1. Staff report
2. Draft Ordinance

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the attached Staff Report and Comprehensive Plan Amendment Analysis.

Planning Director

Planning Commission Chair

8/13/19

Staff Coordinator: Eric Hodge, AICP: (919) 996-2639; Eric.Hodge@raleighnc.gov

Minutes:

AGENDA ITEM E: NEW BUSINESS

AGENDA ITEM (E) 3: TC-10-19: Willow Run South NCOD

This Text Change would amend part of the Raleigh Unified Development Ordinance, in Neighborhood Conservation District to add neighborhood built environmental characteristics and regulations for the Willow Run South neighborhood that set a minimum lot size of 32,670 square feet (.75 acres).

Planner Hodge presented the case.

George Fleming, representing the applicant gave a brief overview of the case and reason for the request for NCOD.

Ashley Schwartz, spoke regarding looking for home and choosing this neighborhood, shares concern of impervious area and is favor of the NCOD.

Christine Flora has lived in Willow Run 16 years, she states this is a unique neighborhood, mature landscape and in favor of this NCOD.

Sharon Shepherd 901 Willow Run South also in favor of the NCOD and states the neighborhood is mostly in favor

Doug Ledson, 801 Willow Run South spoke regarding not being in favor of NCOD.

Mr. Geary made a motion to allow Mr. Ledson 2 more minutes to speak. Ms. McIntosh seconded the motion. The vote was unanimous, 6-0.

Mr. Ledson spoke stating he'd like to see neighborhood improved with upper end builders, no mega mansions. There was discussion regarding whether height limitation would be considered and whether the applicant would consider accessory dwelling units to be allowed. They were also asked if they would consider a home-owners association.

Mr. Fleming stated that they were trying to avoid conflict.

Mr. Lyle stated that the NCOD was put in place for a reason and this seems a good place for it.

Mr. Lyle made a motion to approve consistent and accurate use of the land. Ms. Jeffreys seconded the motion. The vote was not unanimous, 4-2. Ms. McIntosh and Ms. Winters opposed.



ZONING STAFF REPORT – TC-10-19 WILLOW RUN SOUTH NCOD

TC-7-19 Infill Subdivisions & Recombinations

Section Reference	Part 10 of the Unified Development Ordinance §5.4.3. Neighborhood Conservation District (-NCOD)
Basic Information	Amends the Part 10 of the Raleigh Unified Development Ordinance, in Neighborhood Conservation District to add neighborhood built environmental characteristics and regulations for the Willow Run South neighborhood that set a minimum lot size of 32,670 square feet (.75 acre).
<i>Planning Commission Recommendation Deadline</i>	October 22, 2019

COMPREHENSIVE PLAN GUIDANCE

Applicable Policy Statements	<p>Policy LU 8.3 Conserving, Enhancing, and Revitalizing Neighborhoods</p> <p>Recognize the importance of balancing the need to increase the housing supply and expand neighborhood commerce with the parallel need to protect neighborhood character, preserve historic resources, and restore the environment.</p> <p>Policy LU 8.5 Conservation of Single-Family Neighborhoods</p> <p>Protect and conserve the City's single-family neighborhoods and ensure that their zoning reflects their established low density character. Carefully manage the development of vacant land and the alteration of existing structures in and adjacent to single-family neighborhoods to protect low density character, preserve open space, and maintain neighborhood scale.</p>
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	<p>Policy LU 8.12 Infill Compatibility</p> <p>Vacant lots and infill sites within existing neighborhoods should be developed consistently with the design elements of adjacent structures, including height, setbacks, and massing through the use of zoning tools including Neighborhood Conservation Overlay Districts.</p> <p>Policy HP 2.5 Conserving Older Neighborhoods</p> <p>Develop plans and programs to conserve older neighborhoods that have a unique scale and identity, but are not yet protected by an overlay district.</p>
Action Items	<p>Action HP 2.7 Applying Zoning Regulations and Planning Tools</p> <p>Use Historic Overlay Districts, Neighborhood Conservation Overlay Districts, and other zoning regulations and planning tools in response to neighborhood requests for protection and conservation.</p>

CONTACT INFORMATION

Staff Coordinator	Eric Hodge: Eric.Hodge@raleighnc.gov
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OVERVIEW

This text change was initiated by residents and property owners of the Willow Run South neighborhood as part of a citizens' petition to City Council in March 2019. The petition formally requested consideration for a neighborhood built environmental characteristics and regulations analysis. This analysis is the first step in the potential creation of a Neighborhood Conservation Overlay District (NCOD). As stated in the citizens' petition, the intent behind the request is to maintain the current built character of the area and prevent subdivision of existing lots. The area is currently zoned Residential-4 (4 dwelling units per acre), but is built out in a less dense manner (1.33 units per acre).

Staff completed the built environmental characteristics and regulations analysis to determine the predominant character for the following: lot size, density, setbacks, and distance between buildings. After presenting the results of this analysis to the neighborhood, staff presented the report and the neighborhood meeting discussion to City Council at their meeting on May 21, 2019. Council subsequently authorized City Staff to submit an application for the text change. The text change application was submitted on July 16, 2019.

PURPOSE AND NEED

This text change would preserve the current built character of the Willow Run South neighborhood by requiring minimum lot sizes that would be consistent with existing properties.

ALTERNATIVES CONSIDERED

A change to the base zoning district – from Residential-4 to Residential-2 – was considered as a potential alternative. The Residential-2 district would still not reflect the predominant lot size character of the neighborhood and would still allow for the potential recombination and further subdivision of lots below $\frac{3}{4}$ an acre and thus at a higher density than the current character of the neighborhood reflects.

SCOPING IMPACTS

Potential adverse impacts of the proposed text change have been identified as follows:

Adoption of the text change would prevent some property owners from realizing the potential economic benefits of subdividing their property.

The adverse impacts of taking no action (retaining the existing regulations) have been identified as follows:

Not adopting built environmental characteristics and regulations for the Willow Run South neighborhood means that subdivision of existing lots in accordance with the existing R-4 zoning could continue to occur. Property owners and residents in the area have expressed concerns with lot subdivision and the potential impact to neighborhood character.

IMPACTS SUMMARY

Adoption of Proposed Text Change

The adoption of the text change would effectively prevent subdivision of existing lots and ensure that new construction and redevelopment would be similar in character to the surrounding area.

No Action

Subdivision of lots under the existing R-4 regulations could occur.

**ORDINANCE NO.
TC-10-19**

**AN ORDINANCE TO AMEND SECTION 5.4.3.F. OF THE
RALEIGH UNIFIED DEVELOPMENT ORDINANCE TO ADD A SET OF
NEIGHBORHOOD BUILT ENVIRONMENTAL CHARACTERISTICS AND
REGULATIONS FOR THE WILLOW RUN SOUTH NEIGHBORHOOD**

WHEREAS, the City of Raleigh has determined that all of the requirements of Section 5.4.3. of the Part 10A Unified Development Ordinance have been met to allow for the adoption of a specific set of neighborhood built environmental characteristics and regulations for Willow Run South;

WHEREAS, the City of Raleigh has determined it appropriate to develop various neighborhood conservation overlay districts to regulate and protect the character of specified neighborhoods;

WHEREAS, the City of Raleigh has determined it appropriate to protect and conserve the City's existing single-family neighborhoods and ensure that their zoning reflects their established character;

WHEREAS, the City of Raleigh has determined it appropriate to carefully manage the development of vacant land and the alteration of existing structures in and adjacent to single-family neighborhoods to protect character, preserve open space, and maintain neighborhood scale;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH THAT:

Section 1. Sec. 5.4.3.F. of the Raleigh Unified Development Ordinance, Neighborhood Built Environmental Characteristics and Regulations, is hereby amended by insertion of the following underlined provisions in the appropriate alphabetical order of neighborhoods:

21. Willow Run South Neighborhood

- a. Minimum lot size: 32,670 square feet.

Section 2. All laws and clauses of laws in conflict herewith are repealed to the extent of such conflict.

Section 3. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

Section 4. This text change has been reviewed by the Raleigh City Planning Commission.

Section 5. This ordinance has been adopted following a duly advertised public hearing of the Raleigh City Council.

Section 6. This ordinance has been provided to the North Carolina Capital Planning Commission as required by law.

Section 7. This ordinance shall be enforced as provided in N.C.G.S. 160A-175 or as provided in the Raleigh City Code. All criminal sanctions shall be the maximum allowed by law notwithstanding the fifty dollar limit in N.C.G.S. §14-4(a) or similar limitations.

Section 8. This ordinance is effective 5 days after adoption.

Adopted:

Effective:

Distribution:

Prepared by the Department of City Planning